

1                                   **UNITED STATES DISTRICT COURT**  
2                                   **FOR THE**  
                                      **EASTERN DISTRICT OF TEXAS**

3 **TRACY BAREFIELD,**

4                   Plaintiff

5           **v.**

6 **TRANSWORLD SYSTEMS, INC.,**

7                   Defendant

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§

**Case No.:**

**COMPLAINT AND DEMAND FOR  
JURY TRIAL**

**(Unlawful Debt Collection Practices)**

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9                                   **COMPLAINT**

10           TRACY BAREFIELD (“Plaintiff”), by her attorneys, KIMMEL & SILVERMAN, P.C.,  
11 alleges the following against TRANSWORLD SYSTEMS, INC. (“Defendant”):  
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13                                   **INTRODUCTION**

14           1.     Plaintiff’s Complaint is based on the Fair Debt Collection Practices Act, 15  
16 U.S.C. § 1692 *et seq.* (“FDCPA”).  
17

18                                   **JURISDICTION AND VENUE**

19           2.     Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d), which states  
20 that such actions may be brought and heard before “any appropriate United States district court  
21 without regard to the amount in controversy,” and 28 U.S.C. § 1331 grants this court original  
22 jurisdiction of all civil actions arising under the laws of the United States.  
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24           3.     Defendant conducts business in the State of Texas and therefore, personal  
25 jurisdiction is established.

          4.     Venue is proper pursuant to 28 U.S.C. §1391(b)(2).

**PARTIES**

5. Plaintiff is a natural person residing in Cleveland, Texas.

6. Plaintiff is a “consumer” as that term is defined by 15 U.S.C. § 1692a(3).

7. In the alternative, Plaintiff is a person granted a cause of action under the FDCPA. See 15 U.S.C. §1692k(a) and Wenrich v. Cole, 2000 U.S. Dist. LEXIS 18687 (E.D. Pa. Dec. 22, 2000).

8. Defendant is a national debt collection company with corporate headquarters located at 507 Prudential Road, Horsham Pennsylvania 19044.

9. Defendant is a “debt collector” as that term is defined by 15 U.S.C. § 1692a(6), and repeatedly contacted Plaintiff in an attempt to collect a debt.

10. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives, and insurers.

**FACTUAL ALLEGATIONS**

11. Upon information and belief, at all relevant times, Defendant was contacting Plaintiff regarding a debt owed by her former husband, Michael Fredericks.

12. Upon information and belief, the debt at issue arose out of transactions that were primarily for personal, family, or household purposes.

13. Beginning in or around June or July 2016, and continuing through January 2017, Defendant’s collectors contacted Plaintiff attempting to reach Mr. Fredericks.

14. Defendant’s harassing debt collection calls derived from numbers including, but not limited to (800) 816-5569. The undersigned has confirmed that this number belongs to the Defendant.



- b. Statutory damages of \$1,000.00 for the violation of the FDCPA pursuant to 15 U.S.C. § 1692k(a)(2)(A);
- c. All reasonable attorneys' fees, witness fees, court costs and other litigation costs incurred by Plaintiff pursuant to 15 U.S.C. § 1693k(a)(3); and
- d. Any other relief deemed appropriate by this Honorable Court.

## DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that Plaintiff, TRACY BAREFIELD, demands a jury trial in this case.

RESPECTFULLY SUBMITTED,

DATED: May 24, 2017

KIMMEL &amp; SILVERMAN, P.C.

By: /s/ Amy L. B. Ginsburg  
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